

GOVERNOR'S GUIDELINES FOR ALLOCATING COSTS RELATIVE TO STATE AIRCRAFT

KRS 36.415 recognizes the realities that time and security demands place on a Governor and Lieutenant Governor by providing that state aircraft may be used by the Governor or Lieutenant Governor and their immediate families for official business and for personal or non-official business when, "for reasons of security, protocol, ceremonial functions, or overall demands of time," the Governor or Lieutenant Governor require travel considerations not accorded to other officials. The law states that flights may be "solely for personal business, or partly for official business or partly for personal business" and "may be scheduled for the Governor or Lieutenant Governor and their immediate families."

Under that law, all costs for flights scheduled solely for personal business shall be paid with non-state funds. If a flight is part official business and part personal business, the Governor or the Lieutenant Governor shall make "a reasonable allocation of the flight time between official and personal business" and pay the part of the flight allocation to personal business with non-state funds.

"Official business" is defined in KRS 36.400(3) as "any activity involving travel in a state aircraft if the activity is reasonably required, expected, or appropriate, considering the nature of the using public official's job responsibilities." "Official business" includes, but is not limited to, attendance by officials at non-partisan ceremonial functions and events where attendance is expected by virtue of the office or where official representation of the Commonwealth is appropriate, and non-political flights by the Governor and his immediate family when accompanying or representing him.

Any costs of travel for personal purposes shall not be paid with state funds. Travel for political purposes is deemed a personal activity. The costs of travel for personal or political purposes shall be calculated using costs that would be considered at a rate developed by a commercial air charter company as described in KRS 36.415(2)(b) and the basis for the allocation shall be indicated on the attached form. The Director of Operations for the Governor's Office shall be responsible for handling the request for use of the aircraft and allocation of costs. (See attached forms.)

If a flight is part official business and part personal business, the cost will be allocated based upon a "hard-time" formula, under which actual time "on task," i.e., time spent in meetings, receptions, rallies and similar activity, and travel time between "tasks" is counted for cost purposes. For example, if the Governor travels to Paducah and spends one hour at a political party fund-raising dinner and three hours inspecting new technology at a factory and speaking to employees in connection with an administrative initiative, the allocation is 75% official and 25% non-official.

Attachments